

KMS suggested amendments to Substitute for SB 166
March 9, 2009

(b) (1) The Kansas health policy authority may establish a mental health prescription drug advisory committee. The committee shall advise the Kansas health policy authority regarding the safe and cost-effective administration of mental health pharmacy benefits for the mediKan program. The committee shall also ~~develop prescribing guidelines and shall have the power to advise and~~ make recommendations regarding the safe and cost-effective administration of safety criteria to be implemented by the Kansas health policy authority regarding mental health prescription drug benefits for adolescents and children in the medicaid and SCHIP programs. The committee may recommend pharmacy claim edits, including the use of prior authorization, pursuant to KSA 39-7,120, for the purpose of promoting patient safety within such programs. ~~implementation of safety criteria.~~ The Kansas health policy authority may implement the recommendations of the committee.

(2) The membership of the committee shall consist of 15 members appointed by the board of the Kansas health policy authority, including at least three licensed psychiatrists, ~~one~~ three ~~two~~ licensed ~~primary care~~ physicians in the primary care specialties of family practice, pediatrics and internal medicine, one physician with an expertise in psychiatry practicing in an academic medical setting, one advanced registered nurse practitioner with a psychiatric specialization, two pharmacists, one social worker with mental health specialization, and four members of the public, two of which must be mental health consumers or family members of such persons. Preferred membership is to include those with experience serving child and adolescent medicaid enrollees, experience in a public mental health setting, and experience in the treatment of severe and persistent mental illness. Other qualifications may include knowledge and demonstrated leadership in the fields of psychology, social work, primary care medicine, advance practice nursing, pharmacy, and psychiatry for both child and adult.

(3) The appointments to the committee shall be for terms of three years. Members may be reappointed. The committee shall elect a chairperson from among the members who shall serve a one year term. The chairperson may serve consecutive terms. The committee, in accordance with, K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting whenever it is deemed necessary to prevent the disclosure of or protect the confidentiality of information which may have the potential to identify individual when it is considering matters relating to identifiable patients or providers. All individually identifiable information relating to patients or providers shall be redacted from documents submitted by the Kansas health policy authority to the committee. All actions of the committee shall be upon the affirmative majority vote of the committee and the vote of each member present when action was taken shall be recorded by roll call vote.

(4) The committee shall hold public meetings prior to making recommendations to the medicaid DUR board. A detailed agenda of the committee meetings shall be posted on the Kansas health policy authority website seven days prior to the meeting date. Any interested party shall be granted the opportunity for comment. Following the consideration of all presented information, the committee shall make their recommendations available to the public by posting

on the Kansas health policy authority website 14 days prior to forwarding them on to the medicaid DUR, which includes a description of the recommendations being made and the evidence used to reach those recommendations.

(5) The committee may recommend and the Kansas health policy authority may provide education ~~tools to prescribers to promote prescribing practices which are consistent with improving care and patient safety, consistent with this act, which identify prescribing patterns of prescribers outside national standard guidelines. When such patterns are identified,~~ Based on the recommendations of the committee the Kansas health policy authority may implement a program of perform peer to peer education consultation with target prescribers for the intended purpose of improving continuity and coordination of care and decreasing eliminate redundant treatments and decrease risks associated with inappropriate prescribing use

(c) ~~Other than to implement safety criteria, the mediKan prescription drug program shall not interrupt or alter the medications prescribed prior to the implementation of program recommendations by the committee.~~ The committee shall make recommendations to KHPA to ensure the safe and cost-effective administration of mental health pharmacy benefits for the Medikan population, however, only the recommendations intended to promote patient safety may be implemented on prescriptions written or ordered prior to the effective date of the committee's recommendations.

(d) Program savings derived from recommendations by the committee shall be reinvested into medicaid.

(e) The committee shall review the impact on patients affected by the provisions adopted pursuant to this section, administrative decision-making procedures and conduct outcomes-based evaluations on affected patients and the process authorized by this section, at least annually and present findings and recommendations in accordance to the provisions outlined in this act.

(f) The Kansas health policy authority shall implement an automated prior authorization system prior to implementing the provisions of this act.